



[4910-13]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2018-0034; Airspace Docket No. 17-ANM-34]

RIN 2120-AA66

Establishment of Class E Airspace; Kemmerer, WY

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends Class E surface area airspace at Kemmerer Municipal Airport, Kemmerer, WY, by enlarging the airspace area north of the airport and removing the Notice to Airmen (NOTAM) part-time status for the airspace. Also, this action reduces Class E airspace extending upward from 700 feet above the surface and removes Class E airspace extending upward from 1,200 feet above the surface.

DATES: Effective 0901 UTC, February 28, 2019. The Director of the Federal Register approves this incorporation by reference action under Title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.11 and publication of conforming amendments.

ADDRESSES: FAA Order 7400.11C, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at

http://www.faa.gov/air_traffic/publications/. For further information, you can contact

the Airspace Policy Group, Federal Aviation Administration, 800 Independence

Avenue, SW, Washington, DC, 20591; telephone: (202) 267-8783. The Order is also

available for inspection at the National Archives and Records Administration (NARA).

For information on the availability of this material at NARA, call (202) 741-6030, or go to <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

FAA Order 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

FOR FURTHER INFORMATION CONTACT: Bonnie Malgarini, Federal Aviation Administration, Operations Support Group, Western Service Center, 2200 S. 216th Street, Des Moines, WA 98198; telephone (206) 231-2329.

SUPPLEMENTARY INFORMATION:

Authority for this Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it amends Class E airspace at Kemmerer Municipal Airport, Kemmerer, WY, to accommodate airspace redesign in support of IFR operations at the airport.

History

The FAA published a notice of proposed rulemaking in the Federal Register (83 FR 21970; May 11, 2018) for Docket No. FAA-2018-0034 to amend Class E airspace at Kemmerer Municipal Airport, Kemmerer, WY, to accommodate airspace redesign in support of IFR operations at the airport. Interested parties were invited to participate in this

rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Class E airspace designations are published in paragraph 6002, and 6005, respectively, of FAA Order 7400.11C, dated August 13, 2018, and effective September 15, 2018, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

Availability and Summary of Documents for Incorporation by Reference

This document amends FAA Order 7400.11C, Airspace Designations and Reporting Points, dated August 13, 2018, and effective September 15, 2018. FAA Order 7400.11C is publicly available as listed in the ADDRESSES section of this document. FAA Order 7400.11C lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

The Rule

The FAA is amending Title 14 Code of Federal Regulations (14 CFR) part 71 by modifying the north extension of the Class E surface area airspace at Kemmerer Municipal Airport, Kemmerer, WY, to within 1.8 miles (from 1 mile) each side of the 354° bearing (from the 360° bearing) from the airport extending from the 4.3-mile radius of the airport to 7.7 miles (from 7 miles) north of the airport. Also, the NOTAM part-time status for the airspace would be removed to make the airspace effective continuously.

The FAA also amends the Class E airspace extending upward from 700 feet above the surface to within a 4.3-mile radius of Kemmerer Municipal Airport from the airport 035° bearing clockwise to the airport 006° bearing, and within a 9.5 mile radius of the airport from the airport 006° bearing clockwise to the airport 035° bearing, and within 2.2 miles each side of the 354° bearing from the airport extending from the 4.3-mile radius of the

airport to 15.9 miles north of the airport, and within 2.2 miles each side of the 172° bearing from the airport extending from the 4.3-mile radius of the airport to 7.4 miles south of the airport (from within the 8-mile radius of Kemmerer Municipal Airport, and within 4 miles each side of the 174° bearing from the airport extending from the airport 11 miles south of the airport, and within 3.6 miles each side of the 354° bearing from the airport extending from the airport to 16.1 miles northwest of the airport). Additionally, the Class E airspace extending upward from 1,200 feet above the surface is removed because sufficient airspace exists (Wasatch and Jackson Class E airspace areas) and duplication is not necessary. This airspace redesign is necessary for the safety and management of IFR operations at the airport.

Regulatory Notices and Analyses

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current, is non-controversial and unlikely to result in adverse or negative comments. It, therefore: (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1F,

“Environmental Impacts: Policies and Procedures,” paragraph 5-6.5a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71 --DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

§71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.11C, Airspace Designations and Reporting Points, dated August 13, 2018, and effective September 15, 2018, is amended as follows:

Paragraph 6002. Class E Airspace Areas Designated as Surface Areas.

* * * * *

ANM WY E2 Kemmerer, WY [Amended]

Kemmerer Municipal Airport, WY

(lat. 41°49'27"N., long. 110°33'25"W.)

Within a 4.3-mile radius of Kemmerer Municipal Airport, and within 1.8-miles each side of the 354° bearing from the airport extending from the 4.3-mile radius of the airport to 7.7 miles north of the airport.

Paragraph 6005. Class E Airspace Areas Extending Upward from 700 feet or More Above

the Surface of the Earth.

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ANM WY E5 Kemmerer, WY [Amended]

Kemmerer Municipal Airport, WY

(lat. 41°49'27"N., long. 110°33'25"W.)

That airspace extending upward from 700 feet above the surface within a 4.3-mile radius of Kemmerer Municipal Airport from the airport 035° bearing clockwise to the airport 006° bearing, and within a 9.5-mile radius of the airport from the airport 006° bearing clockwise to the airport 035° bearing, and within 2.2 miles each side of the 354° bearing from the airport extending from the 4.3-mile radius of the airport to 15.9 miles north of the airport, and within 2.2 miles each side of the 172° bearing from the airport extending from the 4.3-mile radius of the airport to 7.4 miles south of the airport.

Issued in Seattle, Washington, on November 20, 2018

Shawn M. Kozica,
Group Manager,
Operations Support Group,
Western Service Center.

[FR Doc. 2018-26195 Filed: 12/3/2018 8:45 am; Publication Date: 12/4/2018]